

No. PD-0867-18

Troy Allen Timmins
Appellant

v.

The State of Texas
Appellee

IN THE COURT OF CRIMINAL APPEALS
COURT OF CRIMINAL APPEALS
2/6/2019
DEANA WILLIAMSON, CLERK
APPEALS OF TEXAS, AT AUSTIN

**State's Unopposed Motion for Extension of Time in Which to
File Its Merits Brief on Discretionary Review**

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

COME NOW, Scott F. Monroe and David A. Schulman, attorneys of record for the State of Texas, and respectfully file this motion requesting an extension of time in which the State may file its merits brief on discretionary review, and would show the Court as follows:

Discretionary review was granted in the instant case on November 21, 2018. Appellant's merits brief was due on December 21, 2018, but Appellant was granted an extension of time, and Appellant's merits brief was filed on January 7, 2019.

The State's request for an extension is based upon the inability of the undersigned attorney to finish research on the issues raised by the opinion of the Court of Appeals, Appellant's petition, and Appellant's merits brief. Counsel would further show that they will require an additional fourteen (14) days in which to complete the research and prepare the State's merits brief. This is the State's first request for an extension of time in which to file its brief.

The undersigned has conferred with Mr. Patrick Maguire, counsel of record for Appellant, regarding this motion. Mr. Maguire is not opposed to the motion being granted.

Prayer

WHEREFORE, PREMISES CONSIDERED, Counsel for the State respectfully prays that this Honorable Court will grant this motion and Order that the State's merits brief be due on February 21, 2019, or until such time as set by the Court.

Respectfully submitted,

Scott F. Monroe

District Attorney, 198th District Court
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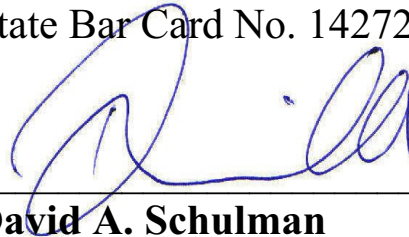
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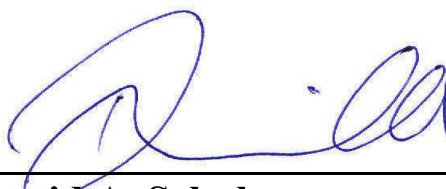
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Certificate of Compliance and Delivery

This is to certify that: (1) this document, created using WordPerfect™ X9 software, contains 338 words, excluding those items permitted by Rule 9.4 (i)(2)(B), Tex.R.App.Pro., and complies with Rules 9.4 (i)(2)(B) and 9.4 (i)(3), Tex.R.App.Pro; and (2) on February 6, 2019, a true and correct copy of the above and foregoing motion was transmitted via the eService function on the State's eFiling portal to Patrick Maguire (mpmlaw@ktc.com), counsel of record for Appellant.



David A. Schulman